EXPERT REPORT OF HAL PORET IN MATTER OF
GAME SHOW NETWORK, LLC
V.
CABLEVISION SYSTEMS CORPORATION

Before the Federal Communications Commission
MB Docket No. 12-122
File No. CSR-8529-P

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SURVEY TO DETERMINE THE EXTENT TO WHICH TV VIEWERS
PERCEIVE GSN AND WE tv TO BE SIMILARLY SITUATED
IN TERMS OF PROGRAMMING CONTENT

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TABLE OF CONTENTS

APPENDICES
     APPENDIX A: CURRICULUM VITAE OF STUDY'S AUTHOR
     APPENDIX B: QUESTIONNAIRE
     APPENDIX C: SCREENSHOTS OF SURVEY
     APPENDIX D: DATA FILES (to be provided electronically)

BACKGROUND AND PURPOSE

Game Show Network, LLC, which operates the cable network GSN, has brought a Program Carriage Complaint against Cablevision Systems Corporation ("Cablevision") alleging that Cablevision has discriminated against GSN in favor of an affiliated network, WE tv (referred to herein as "WE").[1] It is my understanding that, in evaluating Game Show Network's Complaint, the Federal Communications Commission will consider whether GSN is similarly situated to WE based on a combination of factors, including the similarity of programming. One of the factors to be considered in connection with that inquiry is the type of the programming, which I understand Cablevision's programming expert, Michael Egan, will discuss in detail. In its Complaint, Game Show Network alleges that GSN and WE offer similar types of programming, as do other networks such as Lifetime and Oxygen.

Cablevision, through its attorneys Paul, Weiss, Rifkind, Wharton & Garrison LLP and Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C., have retained me to design and conduct a survey to determine the extent to which television viewers perceive GSN and WE to be similar in terms of their type of programming.[2] This report details the methodology and results of the survey.

STUDY AUTHORSHIP AND QUALIFICATIONS

I am a Senior Vice President at ORC International. This study was designed, supervised, and implemented by ORC International under my supervision. In designing the survey and preparing this report, I reviewed the following materials: (1) Program Carriage Complaint; (2) Answer to Program Carriage Complaint; (3) Reply Brief; (4) Surreply of Cablevision; (5) GSN's Opposition to Cablevision's Motion for Leave to File a Surreply; (6) GSN Proceeding Protective Order; (7) Motion for Leave to

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[1] Game Show Network's Complaint also alleges that Cablevision favored Wedding Central over GSN.

[2] The survey does not address other factors such as the extent to which the target audiences for the channels are similar.

File a Surreply; (8) Reply to Opposition to Motion for Leave to File a Surreply; (9) Reply to Opposition to Petition for Temporary Relief; (10) FCC Order Denying Temporary Relief; and (11) GSN Hearing Designation Order.

I have personally designed, supervised, and implemented over 400 surveys measuring perception, opinion, and behavior. I have personally designed numerous studies that have been admitted as evidence in legal proceedings, and I have been accepted as an expert in survey research on numerous occasions by U.S. District Courts, the Trademark Trial and Appeal Board, the FTC, and the National Advertising Division of the Council of Better Business Bureaus (NAD).

I have frequently spoken at major intellectual property and legal conferences on the topic of how to design and conduct surveys that meet legal evidentiary standards for reliability, including conferences held by the International Trademark Association (INTA), American Intellectual Property Law Association, Practicing Law Institute, Managing Intellectual Property, Promotions Marketing Association, American Conference Institute, and various bar organizations.

In addition to my survey research experience, I hold bachelors and masters degrees in mathematics and a J.D. from Harvard Law School. Additional biographical material, including lists of testimony and publications, is provided in Appendix A.

The fee charged for the survey and preparation of this report is $50,000. Any additional time spent in connection with this matter will be billed at my ordinary rate of $500/hr. These fees are not conditioned upon the results of the survey or any of my opinions expressed in this Report.

STUDY DESIGN

A total of 870 television service subscribers participated in this online survey.[3]

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[3] In an online survey, a potential respondent receives an email invitation with a link to a webpage where the survey is hosted. When the respondent clicks on the link, they are taken to

- 470 interviews were conducted among individuals residing within Cablevision's NYC DMA territory, covering parts of NY, NJ and CT.
    - 242 of these were among Cablevision subscribers
    - 228 of these were among non-Cablevision subscribers
- 400 interviews were conducted among individuals residing across the remaining parts of the United States. [4]

The survey design involved showing respondents various pairs of channels, including GSN and WE tv, and asking them to rate how similar or dissimilar the channels are in terms of the type of programming they offer (or to indicate if they had no opinion).[5]

After a respondent qualified for the survey, they were shown a screen on which they were instructed:

> We are now going to show you the names of two channels at a time. For each pair of channels, we would like you to tell us how similar or dissimilar the channels are in terms of the types of programming they offer. (If you are not familiar enough with either channel to have an opinion you can indicate so.)

> When we say similar, we mean that you consider the channels to be in the same category of tv channel because they offer comparable types of programming or similarly-themed programming.

> Please note that we are not asking how similar or dissimilar the channels are in terms of their quality or how much you like them. We only want your opinion

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the webpage where they are asked the screening questions and, if qualified, the main survey questions on their computer screen. See Sampling Section below for additional detail on online surveys.

[4] See Relevant Universe and Sampling sections below for more detailed discussion of the relevant universe for the survey and how respondents were selected for inclusion.

[5] As discussed in more detail below, respondents were asked during the screening section of the survey how familiar (if at all) they were with the type of programming shown on each channel that they were later asked about.

about how similar or dissimilar the channels are in terms of the <u>type</u> or <u>category</u> of programming they offer.

Then on the following screen they were instructed:

> For each pair of channels you are shown, please indicate how similar or dissimilar the channels are by using the following scale ranging from "0" (meaning extremely dissimilar) to "10" (meaning extremely similar.)
>
> Or if you have no opinion, please select that option.

One at a time, respondents were then shown 12 pairs of channel names. For each pair of channels shown, respondents were instructed:

> Please indicate how similar or dissimilar these channels are by using the following scale, if you have an opinion.

Below the pair of channels on each screen appeared a scale ranging from zero (extremely dissimilar) on the left to ten (extremely similar) on the right. A "no opinion" button also appeared below each scale.

As the objective of the survey was to test respondents' perceptions regarding GSN and WE, one of the channel pairs respondents were asked to rate (if they had an opinion) was GSN and WE.

The other eleven pairs of channels were included to serve as controls to ensure that respondents' answers were reliable and were not the result of any problems with the survey sample, process or questions.

Ten of the pairs of channels were designed to serve as baseline measurements of similarity and dissimilarity. Five pairs of channels were included because the two

channels clearly have a high level of similarity in terms of type of programming. These five pairs were:

> HBO
> Cinemax
>
> Discovery Channel
> The Science Channel
>
> ABC
> CBS
>
> MTV
> VH1
>
> Lifetime
> Oxygen

Lifetime and Oxygen were specifically mentioned in Game Show Network's Complaint as channels that offer similar types of programming.

By including these five pairs of similar channels in the survey, the survey was able to self-validate by testing whether respondents do, in fact, respond that these pairs of channels are similar. If respondents typically answer that these pairs of channels are similar, this indicates that the survey is properly functioning to designate similar channels as such.

An additional five pairs of channels were included because the pairs were channels that clearly have a low level of similarity in terms of type of programming. These five pairs were:

> Cinemax
> ABC
>
> Discovery Channel
> VH1
>
> Lifetime

HBO

GSN
MTV

CBS
The Science Channel

By including these five pairs of dissimilar channels in the survey, the survey was able to self-validate by testing whether respondents do, in fact, respond that these pairs of channels are dissimilar. If respondents typically answer that these pairs of channels are dissimilar, this indicates that the survey is properly functioning to designate dissimilar channels as such.

In addition to validating that respondents' ratings of channel pairs are reasonable and reliable, these five pairs of similar and dissimilar channels also establish baseline ratings for similar and dissimilar channels, against which the results for the GSN and WE pairing can be compared.

The last channel pairing was:

Oxygen
WE

The pairing of Oxygen and WE was included as a control to specifically validate whether or not respondents would answer that WE is similar in programming to another channel that both Cablevision and Game Show Network agree provides similar types of programming. In its Complaint, Game Show Network alleges that WE and Oxygen provide the same types of programming. Accordingly, if the survey confirms that WE and Oxygen are viewed as similar channels by respondents, this would also validate that the survey functioned properly and that respondents' answers regarding GSN and WE are reliable.

The twelve pairings detailed above are as follows:

HBO
Cinemax

Discovery Channel
The Science Channel

ABC
CBS

MTV
VH1

Lifetime
Oxygen

GSN
WE

Cinemax
ABC

Oxygen
WE

Discovery Channel
VH1

Lifetime
HBO

GSN
MTV

CBS
The Science Channel

Each pair of channels was shown one at a time alone on a screen.

The order in which the pairs were shown was randomly rotated to eliminate any order bias. For each pair, the survey also randomized which channel appeared on top and which on the bottom for each respondent.

Since the survey consisted of five pairs of similar channels and five pairs of dissimilar channels (and the two experimental pairs, GSN/WE and Oxygen/WE), the sequential lineup of pairs could not have biased answers for GSN/WE or Oxygen/WE in either direction. The survey results did not vary meaningfully based on whether respondents were asked about the GSN/WE pair early or late in the rotation, which confirms that the particular selection of other channel pairs used in their survey and their order did not impact the results.

<u>See</u> Appendix B for the full questionnaire used in the survey.

SUMMARY OF KEY FINDINGS

1.   On the scale of 0 (extremely dissimilar) to 10 (extremely similar), GSN and WE received an average rating of 1.32 by the 231 respondents in the NYC DMA who are familiar with the type of programming on both GSN and WE (the NYC DMA Familiar Group).

2.   The average rating for GSN and WE among respondents outside the NYC DMA who are familiar with the type of programming on both GSN and WE (the National Familiar Group) was 1.38.

3.   The following are the ratings of the five pairs of similar channels:

	Average	
Channel Pair[6]	**NYC DMA Familiar Group**	**National Familiar Group**
ABC/CBS	8.91	8.63
HBO/Cinemax	8.70	8.59
MTV/VH1	8.25	8.21
Lifetime/Oxygen	7.50	7.47
Discovery Channel/The Science Channel	7.48	7.28

The fact that all of these channel pairs received average ratings between 7.28 and 8.91 validates that the survey responses are reliable and that pairs of channels that are similarly situated in terms of type of programming will be rated as such by the survey. These ratings confirm that the rating for GSN and WE is very low and inconsistent with the ratings for pairs of channels that are similar channels in type of programming.

4.   The following are the ratings of the five pairs of dissimilar channels:

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[6] Base sizes between pairings vary because respondents who answered "no opinion" were removed from calculations of averages.

	Average	
Channel Pair[7]	**NYC DMA Familiar Group**	**National Familiar Group**
Lifetime/HBO	3.49	3.65
Cinemax/ABC	2.02	2.10
CBS/The Science Channel	1.68	1.67
GSN/MTV	1.38	1.47
Discovery Channel/VH1	1.06	1.00

The fact that all of these channel pairs received average ratings between 1.00 and 3.65 validates that the survey responses are reliable and that pairs of channels that are not similarly situated in terms of programming type will be rated as such by the survey. These ratings confirm that the rating for GSN and WE is consistent with ratings for pairs of channels that are not similar in type of programming.

5.   The average rating for WE and Oxygen was 7.62 among respondents in the NYC DMA who are familiar with the type of programming on both GSN and WE and 7.56 among respondents outside of the NYC DMA who are familiar with the type of programming on both GSN and WE. This result, along with the 7.50 (NYC DMA) and 7.47 (Nationally) results for Oxygen and Lifetime, proves that the survey was reliable and properly indicated that channels like WE, Oxygen and Lifetime are similar channels in terms of programming content.

6.   Based on the survey results, it is my opinion that tv viewers definitively perceive GSN and WE to be channels that are not similarly situated in terms of their type of programming. The 1.32 (NYC DMA) and 1.38 (Nationally) results for GSN and WE are very close to the "extremely dissimilar" end of the scale. The high similarity ratings given to other pairs of similar channels, including WE/Oxygen and Lifetime/Oxygen confirm that the survey results are reliable and that the very low similarity rating for GSN and WE cannot be explained by any problem with the survey process or questions.

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[7] Base sizes between pairings vary because respondents who answered "no opinion" were removed from calculations of averages.

7.   In addition, as discussed in more detail below, the survey results for GSN and WE did not vary meaningfully based on age, gender, geographic region, type of tv service, or other characteristics of respondents. Accordingly, the very low similarity rating for GSN and WE cannot be explained by any problem with the sample of respondents included in the survey.

See Detailed Findings section below for additional information on results. The full data will be provided in electronic form.

METHODOLOGY

THE RELEVANT UNIVERSE OF INTEREST

1. NYC DMA – TV Viewers Who Are Familiar with Both GSN and WE

The core relevant universe for the survey was defined as individuals who: (1) reside in Cablevision's NYC DMA territory; (2) have television service at home (whether or not Cablevision); and (3) are either somewhat, very, or extremely familiar with the type of programming offered on both GSN and WE. During the screening process, respondents were asked to rate how familiar (if at all) they are with the type of programming on 18 channels, two of which were GSN and WE. The order of the channels listed was randomized to avoid any bias. The following scale was provided:

Not at all Familiar

Slightly Familiar

Somewhat Familiar

Very Familiar

Extremely Familiar

The 272 respondents in the NYC DMA who answered that they were somewhat, very, or extremely familiar with the type of programming on both GSN and WE were considered the core relevant universe for the survey (the NYC Familiar Group). As discussed more fully below, this sample size was more than sufficient to support statistically significant findings.

As part of the screening process, respondents were also asked what television service they have and whether or not they currently get GSN (as well as 17 other channels.) In order to represent various types of television viewers, the survey obtained a sample of both Cablevision and Non-Cablevision customers and a sample of those who currently get GSN and those who currently do not (or don't know if they do). The following table shows the breakdown of respondents within the NYC Familiar Group:

Television Service:	Currently gets GSN	Does not currently get GSN (or does not know)
Cablevision	90 (33%)	52 (19%)
Non-Cablevision	106 (39%)	24 (9%)

As discussed in detail below, the survey results did not vary meaningfully between Cablevision and Non-Cablevision customers or between respondents who currently get GSN and those who do not (or don't know if they do). Accordingly, the precise breakdown of respondents across these four sub-groups was not material to the survey results.

Respondents were also asked how many hours per week they watch of certain channels, including GSN (for respondents who do get GSN). As discussed below, the survey results did not vary meaningfully based on how many hours per week respondents watch GSN.

2. NYC DMA – TV Viewers Who are Not Familiar with One or Both of GSN/WE

The NYC Familiar Group was considered the core relevant universe because it was my opinion that those tv viewers who are familiar with the type of programming content of both GSN and WE are the most qualified to provide their opinion regarding the extent to which the channels are similar or dissimilar. In the event that the opinions of tv viewers who are only familiar with the content of one of the channels or who have only slight or no familiarity with both channels are deemed relevant, a sample of such respondents were also included in the survey. A total of 198 respondents (100 Cablevision and 98 Non-Cablevision) who were less than somewhat familiar with GSN and/or WE completed the survey (the NYC DMA Not Familiar Group). While these respondents are not included in the main analysis contained in this report, the data is available and can be viewed on its own or in combination with the Familiar Group. As discussed further below, the results among the NYC DMA Not Familiar Group did not vary meaningfully from the results for the NYC DMA Familiar Group. Accordingly,

whether or not the results among the NYC DMA Not Familiar Group are considered has no impact on the overall results or the survey's conclusions.

3. National Sample - TV Viewers Who Are Familiar with Both GSN and WE

Because the Complaint against Cablevision implicates the viewership of WE and GSN within Cablevision's geographic footprint, I considered the NYC Familiar Group to be the core universe. That Group, moreover, was easily sufficient in sample size to yield reliable findings. Nonetheless, in order to assess the extent to which television viewers in other geographic regions had an opinion regarding the similarity or dissimilarity of GSN and WE, the survey also included a sample of 400 tv viewers from outside of the Cablevision NYC DMA territory who are somewhat, very, or extremely familiar with the type of programming on both GSN and WE (the National Familiar Group). Including an additional 400 respondents from across the rest of the country (outside the NYC DMA) was useful to make the overall sample more robust and to confirm that the responses among the NYC DMA respondents accurately reflect overall national perceptions regarding GSN and WE. As discussed more fully below, the results among the National Familiar Group and the NYC DMA Familiar Group did not differ meaningfully.

The actual wording of all screening and classification questions used is shown in Appendix B.

SAMPLING PLAN

The sampling plan involved using an online panel managed by Research Now, a leading supplier of online samples for the market research industry. Online surveys are well-accepted in the field of survey research as a standard, reliable methodology. Indeed, online surveys are now the most common method of conducting market research among consumers. Businesses, including television service providers and networks, routinely make decisions of importance based on the results of online survey research. Online survey research has been accepted as evidence in numerous U.S. District Court proceedings, as well as in proceedings before other adjudicative bodies, such as the Trademark Trial and Appeal Board, FTC, and NAD.

In order to achieve a distribution of respondents that was reasonably representative of GSN and WE viewership based on age and gender, I consulted the statistics on viewership contained in the pleadings submitted in this matter. It is my understanding based on my review of the pleadings that Game Show Network contends that

███

███████████ [8] Game Show Network also alleges in its pleadings that █████

███████████████████████████ [9] The statistics also indicate that ██████████

███

█████████████ [11] Given that the core universe for evaluating GSN and WE are those who have familiarity with both channels, I used this demographic data and other data from the pleadings to construct age and gender targets that would yield a reasonably representative sample of the age and gender groups that tend to watch GSN and/or WE.

The following sample composition was obtained for the NYC DMA Familiar Group:

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[8] Declaration of Timothy Brooks, p.9.

[9] Program Carriage Complaint, ¶ 41.

[10] Answer to Program Carriage Complaint, p.4.

[11] Declaration of Michael Egan, ¶ 101.

Age Range	Males		Females	
	N	%	N	%
18-34	■	■	■	■
35-44	■	■	■	■
45-54	■	■	■	■
55+	■	■	■	■

The following sample composition was obtained for the National Familiar Group:

Age Range	Males		Females	
	N	%	N	%
18-34	■	■	■	■
35-44	■	■	■	■
45-54	■	■	■	■
55+	■	■	■	■

As discussed in more detail below, the results did not vary meaningfully based on the age or gender of respondents. Accordingly, the precise breakdown of respondents by age and gender had no meaningful impact on the results. The results can be re-weighted based on any age/gender distribution and they would not change significantly.

DOUBLE-BLIND INTERVIEWING

The study was administered under "double-blind" conditions. That is, not only were the respondents kept uninformed as to the purpose and sponsorship of the study, but the services (Decipher, Inc. and Research Now) involved in providing the sample and administering the interviews were similarly "blind" with respect to the study's purpose and sponsorship.

INTERVIEWING PROCEDURES

Decipher Inc. programmed and hosted the online surveys. My staff and I thoroughly tested the programmed survey prior to any potential respondents receiving the invitation to participate in the survey.

DATA PROCESSING

Data from the online survey was collected and made available to ORC International through the Decipher web portal. A data set showing each respondent's answers to all questions will be provided in electronic form.

INTERVIEWING PERIOD

Interviews were conducted from September 5, 2012 through September 21, 2012.

VALIDATION/QUALITY CONTROL

Respondents were asked several validation/quality control questions. Respondents were required to enter their date of birth to enter the survey and the date needed to match the birth date of the panelist. Respondents were also asked their age, which needed to match the birth date. These procedures reasonably ensure the identity of the respondent and minimized the chance that any surveys were completed by individuals other than invited panelists to a negligible level.

In a later question, respondents were instructed to select the answer choice "South" from a list of North, South, East and West in order to continue. This question screened out respondents who were paying insufficient attention or clicking responses indiscriminately.

Data was also reviewed for respondents identified as "straight liners" – straight liners are respondent who are identified as clicking in a row straight down a grid-style question and potentially not providing thoughtful answers. Responses to grid questions can legitimately appear in a straight line; therefore, straight lining one grid question is not by itself a legitimate reason to flag a respondent as not paying attention. This survey

contained three questions presented in a grid style and 1 respondent was identified as straight lining all three grids.[12]

The time it took respondents to complete the survey was also reviewed for quality control purposes.[13]

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[12] This respondent was not removed from the survey due to straight lining. Removal of this respondent would have no impact on results.

[13] No respondents were removed from the survey due to their time of completion. Removal of respondents who took the survey in the shortest and longest periods of time would have no impact on the results.

REDACTED – FOR PUBLIC INSPECTION

DETAILED FINDINGS

I.   **NYC DMA Familiar Group**

A.   **Average channel pair ratings**

One way to consider the survey results is to examine the average rating for each pair of channels (including GSN and WE) on the similarity scale.

Among the 272 respondents in the NYC DMA that are familiar with the type of programming on both GSN and WE, the average rating for similarity between GSN and WE on a scale ranging from 0 (extremely dissimilar) to 10 (extremely similar) was 1.32.

The following table shows the average similarity ratings of all 12 pairs of channels in descending order of similarity:

NYC DMA Familiar Group	
Channel Pair[14]	**Average**
ABC/CBS (n=268)	8.91
HBO/Cinemax (n=269)	8.70
MTV/VH1 (n=256)	8.25
Oxygen/WE (n=247)	7.62
Lifetime/Oxygen (n=256)	7.50
Discovery Channel/The Science Channel (n=250)	7.48
Lifetime/HBO (n=263)	3.49
Cinemax/ABC (n=264)	2.02
CBS/The Science Channel (n=259)	1.68
GSN/MTV (n=241)	1.38
GSN/WE (n=231)	1.32
Discovery Channel/VH1 (n=259)	1.06

As the above table shows, the rating for GSN and WE is very low, and dramatically lower than the rating for pairings of channels that are similar in terms of type of

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[14] Base sizes between pairings vary because respondents who answered "no opinion" not included in calculations of averages.

programming. The rating for GSN and WE is consistent with ratings for pairings of channels that are not similar in programming type.

The results from the other pairs of channels confirm that the survey produced reliable results. Channels that are similar in their types of programming received average ratings ranging from 7.48 to 8.91, affirming that the survey did properly function to assess similar channels as such. Respondents were clearly able to successfully distinguish between channels that they considered to be similar in programming content and channels they considered to be dissimilar. GSN and WE were clearly perceived to be dissimilar channels, as the 1.32 rating is close to the "extremely dissimilar" end of the spectrum, and the second lowest rating of all channel pairs.

It is of particular interest that WE and Oxygen were rated as similar channels by respondents. WE and Oxygen received an average rating of 7.62. Similarly, Oxygen and Lifetime received an average rating of 7.50. Both of these ratings are dramatically higher than the 1.32 result for GSN and WE. The results for the WE/Oxygen and Lifetime/Oxygen pairs make clear that the survey reliably assessed channels with the same types of programming as similar. Based on the high similarity results these pairs received, the low GSN/WE result cannot be dismissed as the product of any flaw in the survey process, questions or sample.

B.   Top 3 / Bottom 3 Percentages

Another way to consider the data is to examine the percentage of respondents that picked one of the top 3 points on the similarity scale (8, 9 or 10) or one of the bottom 3 points on the similarity scale (0, 1, or 2) for a channel pair. This method results in the same conclusion as viewing the average rating.

Among the 272 respondents in the NYC DMA that are familiar with the type of programming on both GSN and WE, 81% of respondents picked one of the bottom 3

points (at the extremely dissimilar end) on the scale in evaluating GSN and WE. Only 1% picked one of the top 3 points (at the extremely similar end).

The following table shows the percentage of respondents who picked one of the bottom or top 3 points on the scale for all 12 pairs of channels:

NYC DMA Familiar Group		
Channel Pair[15]	Top 3 Box (Similar)	Bottom 3 Box (Dissimilar)
ABC/CBS (n=268)	85%	1%
HBO/Cinemax (n=269)	82%	0%
MTV/VH1 (n=256)	73%	3%
Oxygen/WE (n=247)	64%	4%
Lifetime/Oxygen (n=256)	57%	3%
Discovery Channel/The Science Channel (n=250)	54%	1%
Lifetime/HBO (n=263)	5%	36%
Cinemax/ABC (n=264)	2%	64%
CBS/The Science Channel (n=259)	2%	74%
GSN/MTV (n=241)	1%	78%
GSN/WE (n=231)	1%	81%
Discovery Channel/VH1 (n=259)	1%	86%

As with the average ratings, these percentages make clear that GSN and WE are perceived as dissimilar channels. In particular, the following table shows the results for the 3 pairings of GSN/WE, WE/Oxygen and Lifetime/Oxygen:

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[15] Base sizes between pairings vary because respondents who answered "no opinion" were not included in calculations of percentages.

NYC DMA Familiar Group		
Channel Pair[16]	Top 3 Box (Similar)	Bottom 3 Box (Dissimilar)
Oxygen/WE (n=247)	64%	4%
Lifetime/Oxygen (n=256)	57%	3%
GSN/WE (n=231)	1%	81%

The results for WE/Oxygen and Lifetime/Oxygen contrast sharply with the results for GSN/WE. Based on the high similarity results the others pairs received, the low GSN/WE result cannot be dismissed as the product of any problem with the survey and must reflect genuine viewer perception that the channels are not similar and that GSN does not provide the same types of programming as WE, Oxygen and Lifetime.

C. Statistical Significance

The key results discussed above are statistically significant at above the 99% confidence level at the sample size of 272. The results for GSN and WE are so close to the "extremely dissimilar" end of the scale that a potential margin of error could not call into question the significance of the result. A larger sample size would not have increased the reliability of the survey.

II. National Familiar Group

A. Average channel pair ratings

Among the 400 respondents outside of the NYC DMA that are familiar with the type of programming on both GSN and WE, the average rating of similarity between GSN and WE on a scale ranging from 0 (extremely dissimilar) to 10 (extremely similar) was 1.38, an equivalent result to the NYC DMA result.

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[16] Base sizes between pairings vary because respondents who answered "no opinion" were not included in calculations of percentages.

The following table shows the average similarity ratings of all 12 pairs of channels in descending order of similarity among the National Familiar Group:

National Familiar Group	
Channel Pair[17]	**Average**
ABC/CBS (n=393)	8.63
HBO/Cinemax (n=386)	8.59
MTV/VH1 (n=368)	8.21
Oxygen/WE (n=371)	7.56
Lifetime/Oxygen (n=387)	7.47
Discovery Channel/The Science Channel (n=366)	7.28
Lifetime/HBO (n=382)	3.65
Cinemax/ABC (n=383)	2.10
CBS/The Science Channel (n=372)	1.67
GSN/MTV (n=376)	1.47
GSN/WE (n=375)	1.38
Discovery Channel/VH1 (n=370)	1.00

As the above table shows, the rating for GSN and WE among the National Familiar Group is also dramatically lower than the rating for pairings of channels that are similar in terms of type of programming. The rating for GSN and WE here is consistent with ratings for pairings of channels that are not similar.

The results from the other pairs of channels again confirm that the survey produced reliable results. Respondents were clearly able to successfully distinguish between channels that they considered to be similar in programming content and channels they considered to be dissimilar. GSN and WE were clearly perceived to be dissimilar channels among the National Familiar Group.

Of particular interest, WE and Oxygen received an average rating of 7.56. Similarly, Oxygen and Lifetime received an average rating of 7.47. As with the NYC DMA sample, both of these ratings are dramatically higher than the 1.38 result for GSN and WE. The results among the National Familiar Group for WE/Oxygen and

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[17] Base sizes between pairings vary because respondents who answered "no opinion" were not included in calculations of averages.

Lifetime/Oxygen make clear again that the survey reliably assessed channels with similar programming as similar. Based on the high similarity results these pairs received, the low GSN/WE result cannot be dismissed as the product of any flaw in the survey process, questions or sample.

B.   Top 3 / Bottom 3 Percentages

As mentioned earlier, another way to consider the data is to examine the percentage of respondents that picked one of the top 3 points on the similarity scale (8, 9 or 10) or one of the bottom 3 points on the similarity scale (0, 1, or 2) for a channel pair. Among the National Familiar Group, as with the NYC DMA Familiar Group, this method results in the same conclusion as viewing the average rating.

Among the 400 respondents in the National Familiar Group that are familiar with the type of programming on both GSN and WE, 79% of respondents picked one of the bottom 3 points (at the extremely dissimilar end) on the scale in evaluating GSN and WE. Only 2% picked one of the top 3 points (at the extremely similar end).

The following table shows the percentage of respondents who picked one of the bottom or top 3 points on the scale for all 12 pairs of channels:

National Familiar Group		
Channel Pair[18]	**Top 3 Box (Similar)**	**Bottom 3 Box (Dissimilar)**
HBO/Cinemax (n=386)	83%	2%
ABC/CBS (n=393)	79%	1%
MTV/VH1 (n=368)	73%	2%
Oxygen/WE (n=371)	58%	2%
Lifetime/Oxygen (n=387)	55%	3%
Discovery Channel/The Science Channel (n=366)	48%	2%
Lifetime/HBO (n=382)	6%	35%
GSN/WE (n=375)	2%	79%
Cinemax/ABC (n=383)	1%	65%
CBS/The Science Channel (n=372)	1%	75%
GSN/MTV (n=376)	1%	79%
Discovery Channel/VH1 (n=370)	1%	88%

As with the average ratings, these percentages make clear that GSN and WE are perceived as dissimilar channels. In particular, the following table shows the results for the 3 pairings of GSN/WE, WE/Oxygen and Lifetime/Oxygen:

National Familiar Group		
Channel Pair[19]	**Top 3 Box (Similar)**	**Bottom 3 Box (Dissimilar)**
Oxygen/WE (n=371)	58%	2%
Lifetime/Oxygen (n=387)	55%	3%
GSN/WE (n=375)	2%	79%

The results for WE/Oxygen and Lifetime/Oxygen contrast sharply with the results for GSN/WE and confirm again that viewers do not perceive GSN to provide the same programming types as WE, Oxygen and Lifetime.

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[18] Base sizes between pairings vary because respondents who answered "no opinion" were not included in calculations of percentages.

[19] Base sizes between pairings vary because respondents who answered "no opinion" were not included in calculations of percentages.

C.   Statistical Significance

The key results discussed above are statistically significant at above the 99% confidence level at the sample size of 400. The results for GSN and WE are so close to the "extremely dissimilar" end of the scale that a potential margin of error could not call into question the significance of the result. A larger sample size would not have increased the reliability of the survey.

III.   NYC DMA & National Familiar Groups Combined

A.   Average channel pair ratings

Among all 672 respondents (National and NYC DMA) that are familiar with the type of programming on both GSN and WE, the average rating of similarity between GSN and WE on a scale ranging from 0 (extremely dissimilar) to 10 (extremely similar) was 1.35.

The following table shows the average similarity ratings of all 12 pairs of channels in descending order of similarity among the National and NYC DMA Familiar Groups combined:

NYC DMA & National Familiar Groups Combined	
Channel Pair[20]	Average
ABC/CBS (n=661)	8.74
HBO/Cinemax (n=655)	8.64
MTV/VH1 (n=624)	8.23
Oxygen/WE (n=618)	7.59
Lifetime/Oxygen (n=643)	7.48
Discovery Channel/The Science Channel (n=616)	7.36
Lifetime/HBO (n=645)	3.59
Cinemax/ABC (n=647)	2.07
CBS/The Science Channel (n=631)	1.67
GSN/MTV (n=617)	1.44
GSN/WE (n=606)	1.35

[20] Base sizes between pairings vary because respondents who answered "no opinion" were not included in calculations of averages.

NYC DMA & National Familiar Groups Combined	
Channel Pair[20]	**Average**
Discovery Channel/VH1 (n=629)	1.02

B. Top 3 / Bottom 3 Percentages

Among the 672 respondents (National and NYC DMA combined) that are familiar with the type of programming on both GSN and WE, 80% of respondents picked one of the bottom 3 points (at the extremely dissimilar end) on the scale in evaluating GSN and WE. Only 2% picked one of the top 3 points (at the extremely similar end).

The following table shows the percentage of respondents who picked one of the bottom or top 3 points on the scale for all 12 pairs of channels:

NYC DMA & National Familiar Groups Combined		
Channel Pair[21]	**Top 3 Box (Similar)**	**Bottom 3 Box (Dissimilar)**
HBO/Cinemax (n=655)	82%	1%
ABC/CBS (n=661)	82%	1%
MTV/VH1 (n=624)	73%	3%
Oxygen/WE (n=618)	60%	3%
Lifetime/Oxygen (n=643)	56%	3%
Discovery Channel/The Science Channel (n=616)	50%	2%
Lifetime/HBO (n=645)	6%	36%
Cinemax/ABC (n=647)	2%	64%
GSN/WE (n=606)	2%	80%
CBS/The Science Channel (n=631)	1%	75%
GSN/MTV (n=617)	1%	79%
Discovery Channel/VH1 (n=629)	1%	87%

The following table shows the results for the 3 pairings of GSN/WE, WE/Oxygen and Lifetime/Oxygen:

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[21] Base sizes between pairings vary because respondents who answered "no opinion" were not included in calculations of percentages.

NYC DMA & National Familiar Groups Combined		
Channel Pair[22]	Top 3 Box (Similar)	Bottom 3 Box (Dissimilar)
Oxygen/WE (n=618)	60%	3%
Lifetime/Oxygen (n=643)	56%	3%
GSN/WE (n=606)	2%	80%

C.   Statistical Significance

The key results discussed above are statistically significant at above the 99% confidence level at the sample size of 672. The results for GSN and WE are so close to the "extremely dissimilar" end of the scale that a potential margin of error could not call into question the significance of the result. A larger sample size would not have increased the reliability of the survey.

IV.   NYC DMA Not Familiar Group

A.   Average channel pair ratings

There were also 198 respondents in the NYC DMA who took the survey but who are either not at all familiar or only slightly familiar with GSN and/or WE. Among these respondents the average rating for similarity between GSN and WE on a scale ranging from 0 (extremely dissimilar) to 10 (extremely similar) was 1.53.

The following table shows the average similarity ratings of all 12 pairs of channels in descending order of similarity for the NYC DMA Not Familiar Group:

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[22] Base sizes between pairings vary because respondents who answered "no opinion" were not included in calculations of percentages.

NYC DMA Not Familiar Group	
Channel Pair[23]	**Average**
ABC/CBS (n=196)	8.49
HBO/Cinemax (n=182)	8.31
MTV/VH1 (n=160)	7.83
Discovery Channel/The Science Channel (n=170)	7.16
Lifetime/Oxygen (n=153)	6.93
Oxygen/WE (n=127)	6.65
Lifetime/HBO (n=180)	3.34
Cinemax/ABC (n=184)	1.96
GSN/WE (n=85)	1.53
CBS/The Science Channel (n=177)	1.38
GSN/MTV (n=107)	1.22
Discovery Channel/VH1 (n=161)	0.84

WE and Oxygen received an average rating of 6.65. Similarly, Oxygen and Lifetime received an average rating of 6.93. Both of these ratings are dramatically higher than the 1.53 result for GSN and WE.

B. Top 3 / Bottom 3 Percentages

Among the 198 respondents in the NYC DMA that are not at all familiar or only slightly familiar with the type of programming on at least one of GSN and WE, 74% of respondents picked one of the bottom 3 points (at the extremely dissimilar end) on the scale in evaluating GSN and WE. Only 2% picked one of the top 3 points (at the extremely similar end).

The following table shows the percentage of respondents who picked one of the bottom or top 3 points on the scale for all 12 pairs of channels for the NYC DMA Not Familiar Group:

[23] Base sizes between pairings vary because respondents who answered "no opinion" were not included in calculations of averages.

NYC DMA Not Familiar Group		
Channel Pair[24]	**Top 3 Box (Similar)**	**Bottom 3 Box (Dissimilar)**
ABC/CBS (n=196)	79%	1%
HBO/Cinemax (n=182)	77%	2%
MTV/VH1 (n=160)	64%	3%
Discovery Channel/The Science Channel (n=170)	49%	4%
Oxygen/WE (n=127)	49%	10%
Lifetime/Oxygen (n=153)	47%	7%
Lifetime/HBO (n=180)	5%	41%
GSN/WE (n=85)	2%	74%
Cinemax/ABC (n=184)	1%	66%
CBS/The Science Channel (n=177)	1%	79%
GSN/MTV (n=107)	1%	84%
Discovery Channel/VH1 (n=161)	1%	90%

The following table shows the results for the 3 pairings of GSN/WE, WE/Oxygen and Lifetime/Oxygen:

NYC DMA Not Familiar Group		
Channel Pair[25]	**Top 3 Box (Similar)**	**Bottom 3 Box (Dissimilar)**
Oxygen/WE (n=127)	49%	10%
Lifetime/Oxygen (n=153)	47%	7%
GSN/WE (n=85)	2%	74%

C.   **Significance**

Results among this group of respondents who are not at all familiar or only slightly familiar with the type of programming shown on GSN and/or WE do not differ

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[24] Base sizes between pairings vary because respondents who answered "no opinion" were not included in calculations of percentages.

[25] Base sizes between pairings vary because respondents who answered "no opinion" were not included in calculations of percentages.

meaningfully from the NYC DMA Familiar group or the National Familiar Group. Including or excluding these respondents in the main analysis would not impact the overall results of the survey.

V. Results by Respondent Characteristics for NYC DMA & National Familiar Groups Combined

This section shows results among all respondents (National and NYC DMA combined) who were familiar with both GSN and WE.[26]

A. Results by Gender

The following table shows the average similarity ratings of all 12 pairs of channels in descending order of similarity for the Familiar Groups combined (NYC DMA and National) by gender:

By Gender		
	Average	
Channel Pair	**Male**	**Female**
ABC/CBS	8.69	8.77
HBO/Cinemax	8.67	8.62
MTV/VH1	8.22	8.23
Oxygen/WE	7.61	7.58
Discovery Channel/The Science Channel	7.54	7.28
Lifetime/Oxygen	7.43	7.50
Lifetime/HBO	3.07	3.80
Cinemax/ABC	1.98	2.10
CBS/The Science Channel	1.69	1.66
GSN/MTV	1.63	1.36
GSN/WE	1.34	1.36
Discovery Channel/VH1	0.91	1.07

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[26] Bases for each subgroup within each channel pair vary throughout this section.

The following table shows the percentage of respondents who picked one of the bottom or top 3 points on the scale for all 12 pairs of channels for the Familiar Groups by gender:

By Gender				
	Top 3 Box (Similar)		Bottom 3 Box (Dissimilar)	
Channel Pair	Male	Female	Male	Female
HBO/Cinemax	84%	82%	1%	1%
ABC/CBS	81%	82%	1%	1%
MTV/VH1	72%	73%	1%	3%
Oxygen/WE	63%	59%	2%	3%
Discovery Channel/The Science Channel	57%	48%	2%	1%
Lifetime/Oxygen	54%	57%	3%	3%
Lifetime/HBO	3%	7%	42%	33%
CBS/The Science Channel	2%	1%	73%	75%
Cinemax/ABC	2%	2%	65%	64%
Discovery Channel/VH1	1%	1%	90%	86%
GSN/MTV	1%	1%	73%	81%
GSN/WE	1%	2%	79%	80%

As the above figures show, the ratings of GSN/WE did not vary meaningfully by gender. Accordingly, the precise distribution of interviews by gender did not impact the results.

B. Results by Age

The following table shows the average similarity ratings of all 12 pairs of channels in descending order of similarity for the Familiar Groups combined (NYC DMA and National) by age:

By Age					
	Average				
Channel Pair	18-24	25-34	35-44	45-54	55+
MTV/VH1	8.60	8.55	8.30	8.10	7.90
HBO/Cinemax	8.38	8.46	8.70	8.76	8.70
Lifetime/Oxygen	8.17	7.79	7.79	7.68	6.73

Oxygen/WE	8.14	7.86	8.08	7.73	6.76
ABC/CBS	7.90	8.44	8.66	8.90	9.11
Discovery Channel/The Science Channel	7.69	7.62	7.28	7.43	7.09
Lifetime/HBO	4.24	3.14	3.83	3.44	3.65
Cinemax/ABC	2.92	2.08	2.28	1.63	1.99
CBS/The Science Channel	2.82	1.84	1.69	1.34	1.47
GSN/MTV	2.10	1.78	1.58	1.24	1.04
GSN/WE	1.84	1.45	1.28	1.01	1.45
Discovery Channel/VH1	1.43	1.27	1.08	0.65	0.94

The following table shows the percentage of respondents who picked one of the bottom or top 3 points on the scale for all 12 pairs of channels for the Familiar Groups by age:

By Age										
	Top 3 Box					Bottom 3 Box				
	(Similar)					(Dissimilar)				
Channel Pair	18-24	25-34	35-44	45-54	55+	18-24	25-34	35-44	45-54	55+
HBO/Cinemax	83%	80%	85%	84%	81%	0%	1%	1%	1%	1%
MTV/VH1	83%	80%	73%	69%	67%	0%	1%	1%	2%	6%
Lifetime/Oxygen	73%	63%	63%	56%	42%	0%	3%	2%	2%	5%
Oxygen/WE	71%	64%	73%	61%	45%	0%	0%	2%	3%	6%
ABC/CBS	65%	73%	81%	86%	89%	4%	1%	0%	1%	0%
Discovery Channel/The Science Channel	57%	55%	53%	45%	48%	0%	2%	2%	0%	3%
Lifetime/HBO	14%	3%	7%	4%	6%	26%	42%	32%	34%	37%
Cinemax/ABC	4%	1%	1%	1%	2%	52%	63%	60%	73%	66%
GSN/WE	4%	1%	2%	2%	2%	71%	76%	83%	87%	77%
CBS/The Science Channel	2%	1%	2%	1%	2%	48%	72%	73%	83%	79%
Discovery Channel/VH1	2%	1%	1%	1%	1%	82%	84%	87%	92%	87%
GSN/MTV	2%	1%	1%	1%	1%	65%	71%	78%	81%	87%

As the above figures show, the ratings of GSN/WE did not vary meaningfully by age. Accordingly, the precise distribution of interviews by age did not impact the results.

C.   Results by Cablevision versus Non-Cablevision Subscribers

The following table shows the average similarity ratings of all 12 pairs of channels in descending order of similarity for the Familiar Groups by Cablevision versus Non-Cablevision subscribers:

Cablevision Subscriber (Yes) Versus Non-Cablevision Subscriber (No)	Average	
Channel Pair	Yes	No
ABC/CBS	9.00	8.68
HBO/Cinemax	8.63	8.64
MTV/VH1	8.30	8.21
Discovery Channel/The Science Channel	7.55	7.31
Lifetime/Oxygen	7.52	7.47
Oxygen/WE	7.47	7.62
Lifetime/HBO	3.45	3.62
Cinemax/ABC	1.95	2.10
CBS/The Science Channel	1.62	1.69
GSN/MTV	1.38	1.45
GSN/WE	1.35	1.35
Discovery Channel/VH1	1.07	1.01

The following table shows the percentage of respondents who picked one of the bottom or top 3 points on the scale for all 12 pairs of channels for the Familiar Groups by Cablevision versus Non-Cablevision subscribers:

Cablevision Subscriber (Yes) Versus Non-Cablevision Subscriber (No)	Top 3 Box (Similar)		Bottom 3 Box (Dissimilar)	
Channel Pair	Yes	No	Yes	No
ABC/CBS	86%	80%	1%	1%
HBO/Cinemax	79%	83%	0%	1%
MTV/VH1	75%	72%	3%	2%
Oxygen/WE	60%	60%	5%	2%
Discovery Channel/The Science Channel	58%	49%	2%	2%
Lifetime/Oxygen	58%	56%	3%	3%
CBS/The Science Channel	2%	1%	77%	74%
Cinemax/ABC	2%	1%	65%	64%
GSN/MTV	2%	1%	79%	79%
GSN/WE	2%	2%	80%	80%

Lifetime/HBO	2%	7%	39%	35%
Discovery Channel/VH1	1%	1%	86%	87%

As the above figures show, the ratings of GSN/WE did not vary meaningfully between Cablevision and Non-Cablevision customers. Accordingly, the precise distribution of interviews by tv service provider did not impact the results.

D. Results by those who currently get GSN versus those who do not

The following table shows the average similarity ratings of all 12 pairs of channels in descending order of similarity for the Familiar Groups combined (NYC DMA and National) by those who currently get GSN versus those who do not (or do not know):

By Those Who Get GSN (Yes) and Those Who Do Not (No)	Average	
Channel Pair	Yes	No
ABC/CBS	8.76	8.68
HBO/Cinemax	8.68	8.42
MTV/VH1	8.27	8.04
Oxygen/WE	7.61	7.48
Lifetime/Oxygen	7.53	7.25
Discovery Channel/The Science Channel	7.41	7.14
Lifetime/HBO	3.60	3.54
Cinemax/ABC	2.09	1.99
CBS/The Science Channel	1.64	1.80
GSN/MTV	1.37	1.75
GSN/WE	1.33	1.45
Discovery Channel/VH1	0.95	1.34

The following table shows the percentage of respondents who picked one of the bottom or top 3 points on the scale for all 12 pairs of channels for the Familiar Groups by those who get GSN versus those who do not (or do not know):

By Those Who Get GSN (Yes) and Those Who Do Not (No)				
	Top 3 Box (Similar)		Bottom 3 Box (Dissimilar)	
Channel Pair	Yes	No	Yes	No

HBO/Cinemax	84%	76%	1%	0%
ABC/CBS	82%	78%	1%	1%
MTV/VH1	73%	70%	2%	3%
Oxygen/WE	60%	62%	3%	2%
Lifetime/Oxygen	57%	53%	3%	4%
Discovery Channel/The Science Channel	51%	47%	1%	3%
Lifetime/HBO	6%	6%	35%	39%
GSN/WE	2%	3%	80%	77%
CBS/The Science Channel	1%	2%	76%	70%
Cinemax/ABC	1%	3%	64%	67%
Discovery Channel/VH1	1%	1%	89%	80%
GSN/MTV	1%	0%	81%	68%

As the above figures show, the ratings of GSN/WE did not vary meaningfully based on whether or not the respondent currently gets GSN. Accordingly, the precise distribution of interviews by this factor did not impact the results.

E.   Results by Hours GSN is Watched per Week

The following table shows the average similarity ratings of all 12 pairs of channels in descending order of similarity for the Familiar Groups combined (NYC DMA and National) by the number of hours GSN is watched per week:

By Number of Hours Watching GSN per Week			
	Average		
Channel Pair	**0**	**1**	**2 +**
ABC/CBS	8.79	8.56	8.86
HBO/Cinemax	8.65	8.79	8.65
MTV/VH1	8.22	8.42	8.24
Oxygen/WE	7.53	7.84	7.56
Discovery Channel/The Science Channel	7.44	7.37	7.40
Lifetime/Oxygen	7.42	7.66	7.60
Lifetime/HBO	3.43	3.61	3.81
Cinemax/ABC	1.92	2.18	2.24
CBS/The Science Channel	1.67	1.77	1.53
GSN/MTV	1.28	1.43	1.44
GSN/WE	1.20	1.43	1.43
Discovery Channel/VH1	0.94	0.99	0.95

The following table shows the percentage of respondents who picked one of the bottom or top 3 points on the scale for all 12 pairs of channels for the Familiar Groups by the number of hours GSN is watched per week:

By Number of Hours Watching GSN per Week						
	Top 3 Box			Bottom 3 Box		
	(Similar)			(Dissimilar)		
Channel Pair	**0**	**1**	**2 +**	**0**	**1**	**2 +**
ABC/CBS	83%	77%	86%	1%	1%	1%
HBO/Cinemax	82%	85%	85%	1%	1%	1%
MTV/VH1	73%	78%	71%	3%	3%	1%
Oxygen/WE	59%	60%	60%	4%	1%	3%
Lifetime/Oxygen	53%	59%	60%	3%	0%	3%
Discovery Channel/The Science Channel	51%	52%	51%	2%	2%	1%
Lifetime/HBO	3%	8%	8%	39%	32%	31%
CBS/The Science Channel	2%	0%	2%	77%	68%	78%
Cinemax/ABC	1%	0%	2%	66%	61%	63%
Discovery Channel/VH1	1%	1%	1%	88%	88%	89%
GSN/MTV	1%	1%	1%	83%	80%	80%
GSN/WE	1%	1%	2%	83%	77%	79%

As the above figures show, the ratings of GSN/WE did not vary meaningfully based on how many hours respondent watches GSN in a typical week. Accordingly, the precise distribution of interviews by this factor did not impact the results.

F.   Results by Level of Familiarity with GSN

The following table shows the average similarity ratings of all 12 pairs of channels in descending order of similarity for the Familiar Groups combined (NYC DMA and National) by level of familiarity with GSN:

By Level of Familiarity with GSN			
	Average		
Channel Pair	**Extremely**	**Very**	**Somewhat**
ABC/CBS	9.19	8.56	8.49

By Level of Familiarity with GSN			
	Average		
Channel Pair	Extremely	Very	Somewhat
HBO/Cinemax	8.84	8.58	8.49
MTV/VH1	8.56	8.13	8.00
Oxygen/WE	7.87	7.36	7.54
Discovery Channel/The Science Channel	7.55	7.27	7.25
Lifetime/Oxygen	7.50	7.41	7.53
Lifetime/HBO	3.87	3.44	3.45
Cinemax/ABC	1.91	2.14	2.15
CBS/The Science Channel	1.44	1.77	1.81
GSN/WE	1.14	1.35	1.59
GSN/MTV	1.03	1.65	1.64
Discovery Channel/VH1	0.72	1.15	1.20

The following table shows the percentage of respondents who picked one of the bottom or top 3 points on the scale for all 12 pairs of channels for the Familiar Groups by level of familiarity with GSN:

By Level of Familiarity with GSN						
	Top 3 Box (Similar)			Bottom 3 Box (Dissimilar)		
Channel Pair	Extremely	Very	Somewhat	Extremely	Very	Somewhat
ABC/CBS	90%	78%	77%	0%	1%	1%
HBO/Cinemax	84%	82%	81%	0%	0%	2%
MTV/VH1	77%	72%	69%	1%	3%	3%
Oxygen/WE	67%	54%	60%	2%	2%	4%
Lifetime/Oxygen	59%	54%	55%	4%	2%	3%
Discovery Channel/The Science Channel	57%	47%	48%	2%	2%	1%
Lifetime/HBO	9%	4%	5%	32%	38%	37%
GSN/WE	3%	0%	2%	83%	81%	75%
CBS/The Science Channel	2%	1%	1%	79%	73%	71%
Cinemax/ABC	2%	1%	1%	71%	61%	61%
Discovery Channel/VH1	1%	1%	1%	92%	85%	84%
GSN/MTV	0%	1%	1%	84%	75%	77%

As the above figures show, the ratings of GSN/WE did not vary meaningfully based on level of familiarity. Accordingly, the precise distribution of interviews based on this factor did not impact the results.

G. Results by Hours WE is Watched per Week

The following table shows the average similarity ratings of all 12 pairs of channels in descending order of similarity for the Familiar Groups combined (NYC DMA and National) by the number of hours WE is watched per week:

By Number of Hours Watching WE per Week			
	Average		
Channel Pair	**0**	**1**	**2 +**
ABC/CBS	8.86	8.73	8.69
HBO/Cinemax	8.70	8.65	8.59
MTV/VH1	8.22	8.35	8.19
Oxygen/WE	7.84	7.45	7.40
Lifetime/Oxygen	7.71	7.42	7.20
Discovery Channel/The Science Channel	7.57	7.54	7.09
Lifetime/HBO	3.41	3.53	3.82
Cinemax/ABC	2.08	2.08	2.07
CBS/The Science Channel	1.58	1.79	1.70
GSN/MTV	1.27	1.39	1.63
GSN/WE	1.11	1.57	1.57
Discovery Channel/VH1	0.88	1.09	1.14

The following table shows the percentage of respondents who picked one of the bottom or top 3 points on the scale for all 12 pairs of channels for the Familiar Groups by the number of hours WE is watched per week:

By Number of Hours Watching WE per Week						
	Top 3 Box			Bottom 3 Box		
	(Similar)			(Dissimilar)		
Channel Pair	**0**	**1**	**2 +**	**0**	**1**	**2 +**
ABC/CBS	84%	84%	80%	0%	2%	1%
HBO/Cinemax	82%	82%	82%	0%	1%	2%
MTV/VH1	75%	79%	70%	3%	3%	2%
Oxygen/WE	63%	61%	57%	1%	3%	4%
Lifetime/Oxygen	60%	56%	52%	1%	3%	5%
Discovery Channel/The Science Channel	56%	54%	45%	1%	1%	3%
Lifetime/HBO	3%	5%	9%	35%	36%	36%
CBS/The Science Channel	1%	1%	3%	78%	70%	77%
Cinemax/ABC	1%	2%	2%	64%	64%	65%
GSN/MTV	1%	0%	1%	81%	80%	76%
GSN/WE	1%	2%	3%	86%	75%	75%
Discovery Channel/VH1	0%	1%	1%	91%	84%	84%

As the above figures show, the ratings of GSN/WE did not vary meaningfully based on how many hours the respondent watches WE in a typical week. Accordingly, the precise distribution of interviews based on this factor did not impact the results.

H. Results by Level of Familiarity with WE

The following table shows the average similarity ratings of all 12 pairs of channels in descending order of similarity for the Familiar Groups combined (NYC DMA and National) by level of familiarity with WE:

By Level of Familiarity with WE			
	Average		
Channel Pair	**Extremely**	**Very**	**Somewhat**
ABC/CBS	9.01	8.58	8.66
HBO/Cinemax	8.79	8.63	8.51
MTV/VH1	8.46	8.21	8.05
Oxygen/WE	7.49	7.68	7.58
Discovery Channel/The Science Channel	7.48	7.24	7.35
Lifetime/Oxygen	7.37	7.39	7.65
Lifetime/HBO	3.98	3.47	3.35
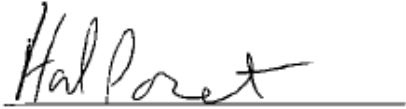
Cinemax/ABC	1.90	2.24	2.06
CBS/The Science Channel	1.63	1.58	1.78
GSN/MTV	1.61	1.44	1.29
GSN/WE	1.43	1.41	1.24
Discovery Channel/VH1	0.99	1.09	0.99

The following table shows the percentage of respondents who picked one of the bottom or top 3 points on the scale for all 12 pairs of channels for the Familiar Groups by level of familiarity with WE:

By Level of Familiarity with WE						
	Top 3 Box (Similar)			Bottom 3 Box (Dissimilar)		
Channel Pair	Extremely	Very	Somewhat	Extremely	Very	Somewhat
ABC/CBS	86%	78%	81%	0%	1%	1%
HBO/Cinemax	83%	84%	81%	1%	1%	1%
MTV/VH1	74%	75%	71%	2%	3%	3%
Oxygen/WE	58%	65%	58%	5%	2%	2%
Discovery Channel/The Science Channel	53%	49%	50%	2%	3%	0%
Lifetime/Oxygen	53%	56%	59%	5%	3%	2%
Lifetime/HBO	8%	5%	4%	33%	38%	36%
CBS/The Science Channel	3%	1%	1%	76%	76%	73%
GSN/WE	3%	1%	1%	78%	79%	82%
Cinemax/ABC	2%	2%	1%	67%	61%	65%
Discovery Channel/VH1	2%	0%	1%	86%	85%	89%
GSN/MTV	2%	1%	0%	76%	81%	79%

As the above figures show, the ratings of GSN/WE did not vary meaningfully based on level of familiarity with WE. Accordingly, the precise distribution of interviews based on this factor did not impact the results.

42

Hal Poret

Dated: December 14, 2012

APPENDIX A

CURRICULUM VITAE OF STUDY'S AUTHOR

Hal L. Poret

(hal.poret@orcinternational.com; 212-329-1018; 914-772-5087)

Education

1998   Harvard Law School, J.D., *cum laude*
- Editor/Writer – Harvard Law Record
- Research Assistant to Professor Martha Minow

1995   S.U.N.Y. Albany, M.A. in Mathematics, *summa cum laude*
- Statistics
- Taught calculus/precalculus/statistics

1993   Union College, B.S. in Mathematics with honors, *magna cum laude*
- Phi Beta Kappa
- Resch Award for Achievement in Mathematical Research

Employment

2004 -   Senior Vice President, ORC International (formerly Guideline)
- Designed, supervised, and analyzed over 400 consumer surveys, including Trademark, Trade Dress, Advertising Perception, Fraud/Consumer Deception, Claims Substantiation studies, Damages, and Corporate Market Research Surveys
- Provided expert testimony at deposition and/or trial regarding survey research in over 40 U.S. District Court litigations and proceedings in front of TTAB, NAD and the FTC.
- Review and comment on third party surveys

2003 – 2004   Internet Sports Advantage
- Developed and marketed proprietary internet sports product, and licensed trademark and intellectual property rights.

1998 – 2003   Attorney, Foley Hoag & Eliot, Boston, MA
- Represented corporations and individuals in trademark, trade dress, advertising, product, and related legal disputes.
- Worked with survey experts in developing and using surveys as evidence in trademark, trade dress and advertising disputes.
- Advised clients in the selection, adoption, use, licensing, and protection of trademarks/trade dress; represented clients in trademark/trade dress litigations, administrative proceedings before the Trademark Trial and Appeal Board and United States Patent and Trademark Office, and domain name proceedings under the Uniform Domain-Name Dispute-Resolution Policy.

Testimony at Trial or by Deposition

(Party who retained me shown in bold)

2012	Forest River v. **Heartland** (Deposition)	USDC Northern District of IN
2012	SPD v. **Church & Dwight** (Deposition)	USDC District of NJ
2012	Brighton Collectibles v. **Texas Leather** (Deposition)	USDC Southern District of CA
2012	**Cytosport** v. Vital Pharmaceuticals (Deposition)	USDC Eastern District of CA
2012	**Apple** v. Samsung (Deposition and Trial)	USDC Northern District of CA
2012	Authors Guild v. **Google** (Deposition)	USDC Southern District of NY
2012	Clear Choice v. **Real Choice** (Opposition testimony)	TTAB
2011	**Borghese** v. Perlier et al. (Deposition)	USDC Southern District of NY
2011	My Favorite Company v. **Wal-Mart** (Deposition)	USDC Central District of CA
2011	**PepsiCo** v. Pirincci (Opposition testimony)	TTAB
2011	**Merck Eprova** v. Brookstone (Deposition and trial)	USDC Southern District of NY
2011	Wella, Inc. v. **Willagirl LLC** (Deposition)	USDC Southern District of NY
2011	Bauer Bros. v. **Nike** (Deposition)	USDC Southern District of CA
2011	**Aviva Sports** v. Manley (Deposition)	USDC District of Minnesota

45

2011	**American Express** v. Black Card LLC (Deposition)	USDC Southern District of NY
2011	Gosmile v. **Dr. Levine** (Preliminary Injunction Trial)	USDC Southern District of NY
2010	**Nat'l Western Life** v. Western Nat'l Life (Deposition)	USDC Western District of TX
2010	**3M** v. Mohan (Trial)	USDC District of Minnesota
2010	Active Network v. **EA Sports** (Preliminary Injunction declaration)	USDC Central District of CA
2010	**FIJI Water Co.** v. FIJI Mineral USA (Deposition)	USDC Central District of CA
2010	Hansen Beverage v. **CytoSport** (Deposition)	USDC Central District of CA
2010	People's United Bank v. **PeoplesBank** (Deposition and Preliminary Injunction trial)	USDC District of CT
2010	**Don Henley** v. Charles Devore (Deposition)	USDC Central District of CA
2010	Pegasus v. **Allscripts** (Deposition and Mediation)	USDC Middle District of FL
2010	**Jelmar, Inc.** v. Zep Commercial (Deposition)	USDC Northern District of IL
2010	**Dollar Bank** v. Emigrant Bank (Deposition)	USDC Western District of PA
2009	**LG Electronics** v. Whirlpool (Deposition)	USDC District of DE
2009	**Farberware** v. Meyer Marketing (Deposition and trial)	USDC Southern District of NY
2009	**NEC** v. Ampad	USDC Southern District of NY

(Deposition)

2009	**GAP Inc.** v. G.A.P. Adventures (Deposition and trial)	USDC Southern District of NY
2009	**Lumber Liquidators** v. Stone Mntn (Deposition and trial)	USDC Eastern District of VA
2009	**CytoSport** v. Vital Pharmaceuticals (Deposition)	USDC Eastern District of CA
2009	REDC v. **NHA** (Deposition)	USDC Southern District of CA
2008	1800Contacts v. **Lens.com** (Deposition)	USDC District of UT
2008	Tokidoki v. **Fortune Dynamic** (Deposition and trial)	USDC Central District of CA
2008	Brighton Collectibles v. **Dynasty** (Deposition)	USDC Southern District of CA

Presentations

Internet Survey Issues (PLI Hot Topics in Advertising Law Conference, March 2012)

Measuring Consumer Confusion Through Online Surveys (2011 Midwest IP Institute) (September, 2011)

Online Surveys as Evidence in Trademark Disputes (International Trademark Association Annual Conference, May 2011)

Managing Intellectual Property Trademark Roundtable (April 7, 2010)

Recent Trends in Trademark Surveys (Virginia State Bar Intellectual Property Conference, October 2009)

Trademark Surveys in US Litigation (presentation for International Trademark Association Annual Conference) (May 2009)

How to Conduct Surveys for use in Trademark Disputes (Practicing Law Institute Advanced Trademark Law Conference) (May 2009)

Trademark and Advertising Perception Studies for Legal Disputes (Opinion Research Corporation Seminar, June 2008)

Understanding Advertising Perception Surveys (Promotions Marketing Association Annual Law Conference) (November 2007)

Designing and Implementing Studies to Substantiate Advertising Claims (American Conference Institute Claims Substantiation Conference, October 2007)

Surveys in Trademark and False Advertising Disputes (InfoUSA Webinar, June 2007)

Measuring Consumer Perception in False Advertising and Trademark Cases, (multiple presentations) (2007)

Potential Errors to Avoid In Designing a Trademark Dilution Survey (American Intellectual Property Association paper, April 2007)

Consumer Surveys in Trademark and Advertising Cases (presentation at Promotions Marketing Association Annual Law Conference) (December 2006)

Use of Survey Research and Expert Testimony in Trademark Litigation, (International Trademark Association Annual Conference, May 2006)

Survey Research as Evidence in Trademark/Trade Dress Disputes (multiple presentations) (2006)

Using Surveys to Measure Secondary Meaning of Trade Dress, Legal Education Seminar, Boston, April 2006

Publications/Papers

Trademark Litigation Online Consumer Surveys (Practical Law Company Intellectual Property and Technology, May 2012)

Hot Topics in Advertising Law 2012 (Contributor to Practising Law Institute publication)

A Comparative Empirical Analysis of Online Versus Mall and Phone Methodologies for Trademark Surveys, 100 TMR 756 (May-June 2010)

Recent Trends in Trademark Surveys (paper for Virginia State Bar Intellectual Property conference, October 2009)

Trademark Dilution Revision Act breathes new life into dilution surveys (In Brief PLI website, June 2009)

The Mark (Survey Newsletter; three editions 2009)

Hot Topics in Trademark Surveys (paper for Practicing Law Institute Advanced Trademark Law Conference) (May 2009)

The Mark (Survey Newsletter, 2008)

Trademark and Advertising Survey Report (Summer 2007)

Avoiding Pitfalls in Dilution Surveys under TDRA (AIPLA Spring Conference, Boston, May 2007)

Commentary

Comment on Hotels.com case (on TTABLOG.COM, July 24, 2009)

Comment on Nextel v. Motorola (on TTABLOG.COM, June 19, 2009)

<u>PLI All-Star Briefing Newsletter,</u> "What does the Trademark Dilution Revision Act mean for the future of Dilution Surveys?" (June 2009)

<u>Can I Get By Without a Survey</u>, Managing Intellectual Property (May 2009)

Professional Memberships/Affiliations

Council of American Survey Research Organizations

International Trademark Association

National Advertising Division of Council of Better Business Bureaus

APPENDIX B

QUESTIONNAIRES

Cell 1 - Cablevision subscribers
  1A - Familiar with BOTH GSN and WE and currently get GSN
  1B - Familiar with BOTH GSN and WE and do not get GSN
  1C – Not/less familiar with one and currently get GSN
  1D – Not/less familiar with one and currently do not get GSN

Cell 2 - Non- Cablevision subscribers in Cablevision Territory
  2A - Familiar with BOTH GSN and WE and currently get GSN
  2B - Familiar with BOTH GSN and WE and do not get GSN
  2C – Not/less familiar with both and currently get GSN
  2D – Not/less familiar with both and currently do not get GSN

Cell 3 – National Sample (outside of Cablevision territory – i.e.: does not live in a county named in Q67, e.g.: NOT q67/1-10, 12-24,26-28)
  3A - Familiar with BOTH GSN and WE and currently get GSN - 200
  3B - Familiar with BOTH GSN and WE and do not get GSN - 200

SAMPLING: INCLUDE INSTRUCTION ON INVITATION TO TAKE SURVEY ON DESKTOP OR LAPTOP. INCLUDE INSTRUCTION TO PLEASE TAKE THE SURVEY WHEN YOU HAVE 10 TO 15 MINUTES TO COMPLETE IT UNINTERRUPTED AND WITHOUT DISTRACTION.

PROGRAMMER: DISABLE "BACK" BUTTONS.

BASE: ALL RESPONDENTS
50.   Please enter your date of birth **[PROGRAMMER: TERMINATE IF DOES NOT MATCH PANELIST'S PRELOAD] [USE BIRTHDATE TO CODE RESPONDENT FOR AGE QUOTA GROUP]**

BASE: ANY NON-TERMINATES
55.   Are you…
        1. Female
        2. Male

BASE: ANY NON-TERMINATES
60.   What type of electronic device are you using to complete this survey?
        1.   Desktop computer
        2.   Laptop/notebook computer
        3.   Tablet computer → *terminate*
        4.   Mobile phone → *terminate*
        5.   Other device → *terminate*

BASE: ANY NON-TERMINATES
65.   In what state do you live?
        [PROGRAMMER: Drop down menu of states.]

BASE: Q65 = NY, NJ, OR CT
67.   In what county do you live?
        [PROGRAMMER: Show drop down menu of counties for state picked in 65. Display in

Alpha order for each State**]**

        [IF NEW YORK, DISPLAY:]
    1. Bronx
    2. Dutchess
    3. Kings
    4. Nassau
    5. Orange
    6. Putnam
    7. Rockland
    8. Suffolk
    9. Ulster
    10. Westchester
    11. Other New York county

        [IF NEW JERSEY, DISPLAY:]
    12. Bergen
    13. Essex
    14. Hudson
    15. Mercer
    16. Middlesex
    17. Monmouth
    18. Morris
    19. Ocean
    20. Passaic
    21. Somerset
    22. Sussex
    23. Union

24. Warren
25. Other New Jersey county

[IF CONNECTICUT, DISPLAY:]
26. Fairfield
27. Litchfield
28. New Haven
29. Other Connecticut county

BASE: ANY NON-TERMINATES
70. Do you or does anyone in your household work for any of the following?
      (Select all that apply)
      [RANDOMIZE]
      1.   For a television network **[TERMINATE]**
      2.   For a company that provides television service (cable, satellite or other) **[TERMINATE]**
      3.   For a company that provides internet service
      4.   For a company that provides home telephone service
      5.   For a company that provides home alarm/security service
      6.   None of these **[ANCHOR; EXCLUSIVE]**

BASE: ANY NON-TERMINATES
75. Do you or does anyone in your household work in either advertising or market research?
      (Select all that apply)
      [RANDOMIZE]
      1.   Yes, advertising **[TERMINATE]**
      2.   Yes, market research **[TERMINATE]**
      3.   Neither of these **[ANCHOR; EXCLUSIVE]**

BASE: ANY NON-TERMINATES
80. Which of the following, if any, does your household currently subscribe to?
(Select all that apply)
[RANDOMIZE]
      1. Television service
      2. Internet service
      3. Home telephone service
      4. Home alarm/security service
      5. None of these **[ANCHOR; EXCLUSIVE]**
[MUST SELECT OPTION 1 – TELEVISION SERVICE – TO CONTINUE; OTHERWISE TERMINATE]

BASE: ANY NON-TERMINATES
83.   Which <u>television service</u> does your household subscribe to?

      1. AT&T U-verse
      2. Comcast
      3. DirecTV
      4. Dish Network
      5. Optimum (Cablevision)
      6. Time Warner Cable
      7. Verizon FiOS
      8. Other

85. For each of the following television channels, please tell us whether or not you get that channel with your current television service. If you don't know, please indicate so.
[RANDOMIZE Channel list. Include Yes, No and Don't Know Options for each]
[PROGRAMMER: PLEASE FLAG STRAIGHT-LINERS & RECORD TOTAL TIME SPENT ON THIS GRID]

1. HBO
2. ABC
3. CBS
4. Cinemax
5. GSN
6. WE
7. Oxygen
8. The Science Channel
9. Discovery Channel
10. MTV
11. VH1
12. Lifetime
13. NBA TV
14. Palladia
15. Speed
16. Military Channel
17. Animal Planet
18. Food Network

BASE: ANY NON-TERMINATES
90. For each of the following television channels, please tell us how <u>familiar</u> you are (if at all) with the <u>type</u> of programming shown on that channel (whether or not you currently get the channel).
[Show channel list in <u>same</u> order as in Q.85.]
[Use scale of: Extremely familiar, Very Familiar, Somewhat Familiar, Slightly Familiar, and Not at all Familiar]
[Randomize whether scale is shown with "Extremely" at left or right end.]
[PROGRAMMER: PLEASE FLAG STRAIGHT-LINERS & RECORD TOTAL TIME SPENT ON THIS GRID]

[IF RESPONDENT LIVES IN NY/NJ/CT (Q.65) AND SELECTED RELEVANT COUNTY IN Q.67 (1-10, 12-24, or 26-28), CONTINUE REGARDLESS OF ANSWERS TO Q.90.]

[IF RESPONDENT LIVES IN ANY OTHER STATE (Q.65) OR LIVES IN NY/NJ/CT BUT SELECTED OTHER COUNTY IN Q.67 (11, 25, 29), THEN RESPONDENT MUST ANSWER SOMEWHAT FAMILIAR, VERY FAMILIAR OR EXTREMELY FAMILIAR WITH <u>BOTH</u> GSN AND WE IN Q.90 TO CONTINUE. IF SUCH RESPONDENTS ANSWER SLIGHTLY FAMILIAR OR NOT AT ALL FAMILIAR FOR EITHER GSN OR WE, TERMINATE]

BASE: ANY NON-TERMINATES
95. For each of the following television channels, please use the following scale to tell us approximately <u>how many hours</u> (if any) you watch that channel in a typical week. If you do not watch that channel at all in a typical week, please select 0. If you watch more than 20 hours per week, select 20.

[Show channel list in <u>same</u> order as in Q.85. Only list channels respondent answered "yes" for in Q.85 <u>and</u> answered Slightly, Somewhat, Very or Extremely Familiar in Q.90]

[Show scale going from 0 to 20.]
[PROGRAMMER: PLEASE FLAG STRAIGHT-LINERS & RECORD TOTAL TIME SPENT ON THIS GRID]

BASE: ANY NON-TERMINATES
98.   Please select South from the following list in order to continue with this survey.
        [RANDOMIZE]
        1.   North
        2.   South [must select to continue]
        3.   East
        4.   West

HIDDEN CELL ASSIGNMENT

FOR RESPONDENTS IN Q67 = 1-10, OR 12-24, OR 26-28:			
Q.83	Q.85-5	Q.90-5 and Q.90-6	CELL
5	Yes	Extremely/Very Familiar/Somewhat familiar in both	CELL 1A
5	Yes	Slightly/not at all familiar in either or both	CELL 1C
5	No	Extremely/Very Familiar/Somewhat familiar in both	CELL 1B
5	No	Slightly/not at all familiar in either or both	CELL 1D
Not 5	Yes	Extremely/Very Familiar/Somewhat familiar in both	CELL 2A
Not 5	Yes	Slightly/not at all familiar in either or both	CELL 2C
Not 5	No	Extremely/Very Familiar/Somewhat familiar in both	CELL 2B
Not 5	No	Slightly/not at all familiar in either or both	CELL 2D
FOR RESPONDENTS (IN Q67 = 11 OR 25 OR 29) OR (IN Q65 IS NOT NY, NJ, or CT):			
Q.83	Q.85-5	Q.90-5 and Q.90-6	CELL
	Yes	Extremely/Very Familiar/Somewhat familiar in both	CELL 3A
	No	Extremely/Very Familiar/Somewhat familiar in both	CELL 3B

[PROGRAMMER: DISPLAY Q200 & Q210 EACH ON THEIR OWN SCREEN]

BASE = ALL QUALIFIED RESPONDENTS
Q.200 We are now going to show you the names of two channels at a time. For each pair of channels, we would like you to tell us how similar or dissimilar the channels are in terms of the types of programming they offer. (If you are not familiar enough with either channel to have an opinion you can indicate so.)

When we say similar, we mean that you consider the channels to be in the same category of tv channel because they offer comparable types of programming or similarly-themed programming.

Please note that we are not asking how similar or dissimilar the channels are in terms of their quality or how much you like them. We only want your opinion about how similar or dissimilar the channels are in terms of the type or category of programming they offer.

BASE = ALL QUALIFIED RESPONDENTS
Q.210 For each pair of channels you are shown, please indicate how similar or dissimilar the channels are by using the following scale ranging from "0" (meaning extremely dissimilar) to "10" (meaning extremely similar.)

Or if you have no opinion, please select that option.

BASE = ALL QUALIFIED RESPONDENTS
Q. 220 Please indicate how similar or dissimilar these channels are by using the following scale, if you have an opinion.

[PROGRAMMER: Randomize order in which following pairings are shown. For each pairing randomize order of which is shown on top and bottom. Show one pair per screen. Center pair on screen above scale.]
[PROGRAMMER: PLEASE RECORD TOTAL TIME SPENT ON THE Q220 SERIES.]

HBO
Cinemax

Discovery Channel
The Science Channel

ABC
CBS

MTV
VH1

Lifetime
Oxygen

GSN
WE

Cinemax
ABC

Oxygen
WE

Discovery Channel
VH1

Lifetime
HBO

GSN
MTV

CBS
The Science Channel

[PROGRAMMER: Below the pair, show scale ranging from 0 on left to 10 on right. Above the "0" note "Extremely Dissimilar" and above the "10" note "Extremely Similar". Below scale add "No Opinion" button. Respondent must use the scale or select No Opinion)

[REPEAT Q.220 UNTIL ALL PAIRS HAVE BEEN SHOWN]

APPENDIX C

SCREENSHOTS OF SURVEY

50

Please enter your date of birth

Please enter in this format MM/DD/YYYY.

Month	Day	Year

Continue »

Privacy Policy - Help

55

Are you...

Select one

Female	●
Male	○

Continue »

Privacy Policy - Help

60

65

67

11%

In what county do you live?

Select one...

Select one...
Bronx
Dutchess
Kings
Other New York county
Nassau
Orange
Putnam
Rockland
Suffolk
Ulster
Westchester

Continue »

Privacy Policy - Help

70

11%

Do you or does anyone in your household work for any of the following?

(Select all that apply)

For a television network	☐
For a company that provides internet service	☐
For a company that provides home alarm/security service	☐
For a company that provides television service (cable, satellite or other)	☐
For a company that provides home telephone service	☐
None of these	☑

Continue »

Privacy Policy - Help

75

Do you or does anyone in your household work in either advertising or market research?

(Select all that apply)

Yes, market research	☐
Yes, advertising	☐
Neither of these	☑

Continue »

Privacy Policy - Help

80

Which of the following, if any, does your household currently subscribe to?

(Select all that apply)

Home alarm/security service	☐
Internet service	☑
Television service	☑
Home telephone service	☑
None of these	☐

Continue »

Privacy Policy - Help

83

Which <u>television service</u> does your household subscribe to?

Select one

AT&T U-verse	○
Comcast	○
DirecTV	○
Dish Network	○
Optimum (Cablevision)	●
Time Warner Cable	○
Verizon FiOS	○
Other	○

Continue »

Privacy Policy - Help

29%

For each of the following television channels, please tell us whether or not you get that channel with your current television service. If you don't know, please indicate so.

	Yes	No	Don't Know
VH1	●	○	○
Food Network	●	○	○
ABC	●	○	○
NBA TV	●	○	○
Palladia	●	○	○
Lifetime	●	○	○
MTV	●	○	○
Discovery Channel	●	○	○
GSN	●	○	○
Military Channel	○	○	●
Oxygen	●	○	○
CBS	●	○	○
HBO	●	○	○
WE	●	○	○
The Science Channel	●	○	○
Animal Planet	●	○	○
Cinemax	○	●	○
Speed	○	○	●

Continue »

Privacy Policy - Help

33%

For each of the following television channels, please tell us how <u>familiar</u> you are (if at all) with the <u>type</u> of programming shown on that channel (whether or not you currently get the channel).

	Not at all Familiar	Slightly Familiar	Somewhat Familiar	Very Familiar	Extremely familiar
VH1	○	○	○	◉	○
Food Network	○	○	○	◉	○
ABC	○	○	○	◉	○
NBA TV	○	◉	○	○	○
Palladia	○	○	○	◉	○
Lifetime	○	○	◉	○	○
MTV	○	○	◉	○	○
Discovery Channel	○	○	○	◉	○
GSN	○	○	◉	○	○
Military Channel	○	◉	○	○	○
Oxygen	○	◉	○	○	○
CBS	○	○	○	◉	○
HBO	○	○	○	◉	○
WE	○	○	○	◉	○
The Science Channel	○	○	◉	○	○
Animal Planet	○	○	○	◉	○
Cinemax	○	○	○	◉	○
Speed	◉	○	○	○	○

Continue »

Privacy Policy - Help

95

37%

For each of the following television channels, please use the following scale to tell us approximately <u>how many hours</u> (if any) you watch that channel in a typical week. If you do not watch that channel at all in a typical week, please select 0. If you watch more than 20 hours per week, select 20.

Select one in each row

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
VH1			●																		
Food Network			●																		
ABC		●																			
NBA TV	●																				
Palladia		●																			
Lifetime	●																				
MTV	●																				
Discovery Channel	●																				
GSN	●																				
Oxygen	●																				
CBS			●																		
HBO		●																			
WE	●																				
The Science Channel	●																				
Animal Planet	●																				

Continue »

Privacy Policy - Help

98

43%

Please select South from the following list in order to continue with this survey.

Select one

South	●
West	○
East	○
North	○

Continue »

Privacy Policy - Help

67

200

47%

We are now going to show you the names of two channels at a time. For each pair of channels, we would like you to tell us how similar or dissimilar the channels are in terms of the types of programming they offer. (If you are not familiar enough with either channel to have an opinion you can indicate so.)

When we say similar, we mean that you consider the channels to be in the same category of tv channel because they offer comparable types of programming or similarly-themed programming.

Please note that we are not asking how similar or dissimilar the channels are in terms of their quality or how much you like them. We only want your opinion about how similar or dissimilar the channels are in terms of the type or category of programming they offer.

Continue »

Privacy Policy - Help

210

50%

For each pair of channels you are shown, please indicate how similar or dissimilar the channels are by using the following scale ranging from "0" (meaning extremely dissimilar) to "10" (meaning extremely similar.)

Or if you have no opinion, please select that option.

Continue »

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54%

Please indicate how similar or dissimilar these channels are by using the following scale, if you have an opinion.

ABC
Cinemax

	Extremely Dissimilar 0	1	2	3	4	5	6	7	8	9	Extremely Similar 10
	○	○	○	○	○	○	○	○	○	○	○
No Opinion						☐					

Continue »

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58%

Please indicate how similar or dissimilar these channels are by using the following scale, if you have an opinion.

Lifetime
Oxygen

	Extremely Dissimilar 0	1	2	3	4	5	6	7	8	9	Extremely Similar 10
	○	○	○	○	○	○	○	○	○	○	○
No Opinion						☐					

Continue »

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61%

Please indicate how similar or dissimilar these channels are by using the following scale, if you have an opinion.

VH1
Discovery Channel

	Extremely Dissimilar 0	1	2	3	4	5	6	7	8	9	Extremely Similar 10
	○	○	○	○	○	○	○	○	○	○	○
No Opinion						☐					

Continue »

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69

Please indicate how similar or dissimilar these channels are by using the following scale, if you have an opinion.

Cinemax
HBO

	Extremely Dissimilar 0	1	2	3	4	5	6	7	8	9	Extremely Similar 10
	○	○	○	○	○	○	○	○	○	○	○
No Opinion						☐					

Continue »

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Please indicate how similar or dissimilar these channels are by using the following scale, if you have an opinion.

MTV
VH1

	Extremely Dissimilar 0	1	2	3	4	5	6	7	8	9	Extremely Similar 10
	○	○	○	○	○	○	○	○	○	○	○
No Opinion						☐					

Continue »

Privacy Policy - Help

Please indicate how similar or dissimilar these channels are by using the following scale, if you have an opinion.

CBS
ABC

	Extremely Dissimilar 0	1	2	3	4	5	6	7	8	9	Extremely Similar 10
	○	○	○	○	○	○	○	○	○	○	○
No Opinion						☐					

Continue »

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Please indicate how similar or dissimilar these channels are by using the following scale, if you have an opinion.

GSN
WE

	Extremely Dissimilar 0	1	2	3	4	5	6	7	8	9	Extremely Similar 10
	◎	◎	◎	◎	◎	◎	◎	◎	◎	◎	◎
No Opinion						☐					

Continue »

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80%

Please indicate how similar or dissimilar these channels are by using the following scale, if you have an opinion.

Oxygen
WE

	Extremely Dissimilar 0	1	2	3	4	5	6	7	8	9	Extremely Similar 10
	◎	◎	◎	◎	◎	◎	◎	◎	◎	◎	◎
No Opinion						☐					

Continue »

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84%

Please indicate how similar or dissimilar these channels are by using the following scale, if you have an opinion.

HBO
Lifetime

	Extremely Dissimilar 0	1	2	3	4	5	6	7	8	9	Extremely Similar 10
	◎	◎	◎	◎	◎	◎	◎	◎	◎	◎	◎
No Opinion						☐					

Continue »

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71

Please indicate how similar or dissimilar these channels are by using the following scale, if you have an opinion.

Discovery Channel
The Science Channel

	Extremely Dissimilar 0	1	2	3	4	5	6	7	8	9	Extremely Similar 10
	◎	◎	◎	◎	◎	◎	◎	◎	◎	◎	◎
No Opinion						☐					

Continue »

Please indicate how similar or dissimilar these channels are by using the following scale, if you have an opinion.

MTV
GSN

	Extremely Dissimilar 0	1	2	3	4	5	6	7	8	9	Extremely Similar 10
	◎	◎	◎	◎	◎	◎	◎	◎	◎	◎	◎
No Opinion						☐					

Continue »

Please indicate how similar or dissimilar these channels are by using the following scale, if you have an opinion.

CBS
The Science Channel

	Extremely Dissimilar 0	1	2	3	4	5	6	7	8	9	Extremely Similar 10
	◎	◎	◎	◎	◎	◎	◎	◎	◎	◎	◎
No Opinion						☐					

Continue »

APPENDIX D

DATA FILES (to be provided electronically)